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January 13, 2022

**Via ECF**

Hon. Vernon S. Broderick, U.S.D.J.  
Thurgood Marshall  
United States Courthouse  
40 Foley Square  
New York, NY 10007

The mediation referral order, (Doc. 9), will be held in abeyance until after Defendants' anticipated motion to dismiss or to compel arbitration is fully briefed.

**SO ORDERED:**

01/21/2022

  
HON. VERNON S. BRODERICK  
UNITED STATES DISTRICT JUDGE

**RE: *Yu et al. v. Ollies44 LLC et al.***  
**SDNY Case No.: 21-cv-10339 (VSB)**

Dear Judge Broderick:

This firm represents the Defendants in the above-referenced matter. This letter shall serve as Defendants' request that the Court hold the Mediation Referral Order (Dkt. No. 9) in abeyance until the pleading stage has been completed.

Specifically, Defendants' deadline to respond to the Complaint is not due until February 8, 2022. In response to the Complaint, Defendants intend on filing various motions (e.g. (a) Motion to Compel Arbitration and Dismiss based on Plaintiff's execution of an arbitration agreement during his employment, (b) Motion to Dismiss on alternative grounds and/or (c) Motion for Sanctions if Plaintiff does not withdraw the Complaint). Additionally, it is Defendants' understanding that Plaintiff requested that his counsel withdraw this action.

In an effort to avoid motion practice and conserve judicial resources, Defendants are endeavoring to amicably resolve the issues with Plaintiff and his counsel. In the event that Plaintiff withdraws the Complaint and/or Defendants' intended motions are granted, the Mediation Referral Order will be moot.

Thank you for your attention to this matter.

Very truly yours,

/s/ Matthew A. Brown

cc: client (via e-mail)